

Notice of Allowability

Application No.

09/725,322

Examiner

Harold E. Dodds, Jr.

Applicant(s)

DEO ET AL

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11 March 2005 and 6 June 2005.
2. ☒ The allowed claim(s) is/are 3-6, 8-19, 21-27, 29-32, 34-37, 39-42, and 48-53 (renumbered 1-41).
3. ☒ The drawings filed on 23 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>061405</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Lewis C. Lee on 19 May 2005. This authorization was confirmed in a second telephone interview on 14 June 2005.

3. The application has been amended as follows:

For claim 3, on line 7 **delete** ~~exposes~~ **after** "system" and **insert** uses **after** "system".

For claim 22, on line 5 **delete** ~~expose~~ **after** "to", **insert** provide **after** "to", and **insert** access **after** "system".

For claim 23, on line 5 **delete** ~~expose~~ **after** "to", **insert** provide **after** "to", and **insert** access **after** "system".

For claim 41, on line 2 **delete** ~~exposing~~ **before** "a common set" and **insert** using **before** "a common set".

REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance: The Examiner finds that the amendments to independent claims 3, 22, 23, and 48-50 filed on 11 March 2005 concerning an integrated circuit module place in condition for allowance independent claims 3, 22, 23, and 48-50. The combinations of prior art from

Tobita et al. (U.S. Patent No. 6,421,279), Ginter et al. (U.S. Patent No. 6,427,140), and Chen (U.S. Patent No. 6,542,955) neither render obvious nor anticipates the combination of recited elements in light of claims 3, 22, 23, and 48-50. In particular the combination of art from Tobita, Ginter, and Chen does not render obvious the phrase "wherein individual functions defined in the set of application program interfaces include a parameter identifying whether an associated data file is stored in the volatile memory or the nonvolatile memory".

5. The Examiner finds that the amendments to independent claims 4 and 5 filed on 11 March 2005 concerning an integrated circuit module place in condition for allowance independent claims 4 and 5. The combinations of prior art from Tobita et al. (U.S. Patent No. 6,421,279) and Chen (U.S. Patent No. 6,542,955) neither render obvious nor anticipates the combination of recited elements in light of claims 4 and 5. In particular the combination of art from Tobita and Chen does not render obvious the phrase "wherein the file system comprises a memory region directory to identify whether the one or more data files are stored in the volatile memory or in the nonvolatile memory".

6. The Examiner finds that the applicants' arguments on pages 41-49 of the "Preliminary Amendment" filed on 16 September 2004 concerning an integrated circuit module persuasive as applied to independent claims 10, 18, and 29. The combinations of prior art from Tobita et al. (U.S. Patent No. 6,421,279) and Chen (U.S. Patent No. 6,542,955) neither render obvious nor anticipates the combination of recited elements in light of claims 10, 18, and 29. In particular the combination of art from Tobita and Chen

does not render obvious the phrase "a file location specifier to specify a physical location of the requested data file within the volatile memory or the nonvolatile memory identified by the memory region directory as containing the requested data file".

7. The Examiner finds that the applicants' arguments on pages 41-49 of the "Preliminary Amendment" filed on 16 September 2004 concerning an integrated circuit module persuasive as applied to independent claims 25 and 39. The combinations of prior art from Tobita et al. (U.S. Patent No. 6,421,279), Li (U.S. Patent No. 6,519,594), and Chen (U.S. Patent No. 6,542,955) neither render obvious nor anticipates the combination of recited elements in light of claims 25 and 39. In particular the combination of art from Tobita, Li, and Chen does not render obvious the phrase "a memory region directory to identify whether a file is stored in the volatile memory or the nonvolatile memory".

8. The Examiner finds that the amendments to independent claims 35 and 36 filed on 11 March 2005 concerning storing data in a volatile data file in volatile memory of an integrated circuit module in condition for allowance independent claims 35 and 36. The combinations of prior art from Tobita et al. (U.S. Patent No. 6,421,279), Ginter et al. (U.S. Patent No. 6,427,140), Nobakht et al. (U.S. Patent No. 6,587,873) and Chen (U.S. Patent No. 6,542,955) neither render obvious nor anticipates the combination of recited elements in light of 35 and 36. In particular the combination of art from Tobita, Ginter, Nobakht, and Chen does not render obvious the phrase "ascertaining that the volatile data file is located in the volatile memory".

CONCLUSION

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold E. Dodds, Jr. whose telephone number is (571)-272-4110. The examiner can normally be reached on Monday - Friday 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571)-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harold E. Dodds, Jr.

Harold E. Dodds, Jr.
Patent Examiner
June 14, 2005


GRETA ROBINSON
PRIMARY EXAMINER